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April 13, 2004 LB 391, 392

may not want to go there at this time, in this session. I further want to affirm and support Senator Erdman's explanation of the Judicial Emancipation Act that was contained in LB 392, which was advanced by your Judiciary Committee a year ago in this...in the first session by 7 votes in favor. We were once again...there is, as Senator Erdman explains, there is no way for a self-supporting...

SENATOR CUDABACK: One minute.

SENATOR BRASHEAR: ...minor in the state of Nebraska to get a court to declare them emancipated. That can happen in a child support hearing involving their parents, it can happen in another judicial proceeding where they are determined to be emancipated and therefore not to be supported. But the minor individual who is not being supported by anybody, may even have responsibility for supporting minors which are their children, has no judicial access, no procedure by which to go get themselves declared emancipated, in order that they would have an order that allows them to go out and represent themselves to the world as capable of entering into a contract. And that was the reason for LB 392, so that the avenue of judicial process was available and the procedure was available. And to me, that made sense, and still does, particularly when, at Senator Chambers!...

SENATOR CUDABACK: Time, Senator.

SENATOR BRASHEAR: ...request, we checked on the minimum age for federal bankruptcy, and there is none. So I'd urge our continued discussion. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. Senator Quandahl.

SENATOR QUANDAHL: Thank you, Mr. President, members of the body. I will continue the discussion. I thought I'd bring us back around to actually what LB 391 currently consists of at this point. As you will recall, there was a fairly substantial amendment to LB 391 that brought it down to essentially this language: "A minor may not disaffirm a contract otherwise valid